

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES**

**THE BOEING COMPANY**

**and**

**SOCIETY OF PROFESSIONAL ENGINEERING EMPLOYEES IN AEROSPACE,  
affiliated with INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL  
ENGINEERS, LOCAL 2001**

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**Case: 19-CA-128941**

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**CHARGING PARTY'S BRIEF IN SUPPORT OF CROSS EXCEPTIONS**

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Society of Professional Engineering Employees in Aerospace, IFPTE, Local 2001  
(Charging Party or SPEEA) hereby files this brief in support of its cross exceptions in the above-captioned matter.

### **STATEMENT OF THE CASE**

SPEEA believes that the Administrative Law Judge was correct in his findings and conclusions as shown in detail in its brief in opposition to Respondent's exceptions. However, the ALJ made two errors in fashioning the recommended remedy. All errors appear to have been inadvertent based on the other language of the Decision.

### **QUESTIONS INVOLVED**

The question involved in this matter is:

1. Did the ALJ inadvertently fail to include the entirety of both bargaining units in his Order?

### **ARGUMENT**

In his Order the ALJ only required posting in Seattle, Washington. ALJD 15:20-21. He also was not specific about the scope of the electronic notification. The appropriate remedy in such a case has to be co-extensive with the scope of the units under negotiation. *E. g., Armored Transp. of Cal., Inc.*, 288 NLRB 574, 580 (1988)(two locations referenced in bargaining unit description and posting was in both.) Thus, the Order concerning the posting and email distribution should be modified to include all areas and employees covered by Article 1 in both the professional and technical contracts.

In all other aspects, the Decision of the ALJ should be adopted.

Dated this 25<sup>th</sup> day of August, 2015.

Respectfully Submitted,

s/ Thomas B. Buescher

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that true and correct copies of the **CHARGING PARTY'S BRIEF IN SUPPORT OF CROSS EXCEPTIONS** was served upon the parties via Electronic Mail, this 25<sup>th</sup> day of August, 2015, properly addressed to the following:

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